

**BOARD OF EXAMINERS FOR NURSING HOME ADMINISTRATORS  
MINUTES**

DATE: August 7, 2006

TIME: 9:00 a.m. C.S.T

LOCATION: The Millennium Maxwell House  
Embassy Conference Room  
2025 Metro Center Blvd.  
Nashville, TN 37228

MEMBERS PRESENT: Harold Walker, Chair, NHA  
Mark Davis, Vice-Chair, NHA  
Jennifer Johnson, M.D.  
Katy Gammon, HCF Director, Ex Officio  
Norma Lester, RN, NHA  
Craig Laman, NHA  
Kathryn Wilhoit, RN, NHA  
Palyce Jones, RN, NHA

MEMBERS ABSENT: Susan Carson, Citizen  
Robbie Bell, HRB Director, Ex Officio

STAFF PRESENT: Marva Swann, Unit Director  
Karen Robinson, Board Administrator  
Ernest Sykes, Advisory Attorney  
Jerry Kosten, Regulations Manager  
Lisa Tittle, Director of Administrative Services

STAFF ABSENT: Lea Phelps, Disciplinary Coordinator

GUEST: Richard Russell, Legal Counsel, THCA  
Carrie Ermshar, TAHS for the Aging  
Debbie Powell and Debra Pannell, Epic Group  
Courtney Cross, Court Reporter from Denise Harwood-Stacy

With a quorum being present, Mr. Walker called the meeting to order at 9:13 a. m.

**Consent Of Interest**

Mr. Sykes reviewed the Conflict of Interest Policy and reminded the Board members of their responsibilities under the policy and instructed each new Board member to sign the policy and submit it to the Board administrator to be placed in their files.

## **Legislation**

The following legislation was presented to the Board for discussion by Mr. Sykes.

Chapter: 795, Extends the Board's termination date to June 30, 2010.

Chapter: 558, Authorizes Boards to award grants for the purpose of evaluating and guiding the development of the education, distribution, and availability of licensees to provide a basis for improving the delivery of quality health care.

Chapter: 560, Provides liability protection for health care providers who render services during a catastrophe or disaster that has been declared by the Governor to be an emergency.

Chapter: 663, Provides a method for licensees to keep home addresses as mailing or practice addresses in their right-to-know profiles.

## **Rules**

Mr. Sykes discussed the following rules that will become effective on October 10, 2006.

Rule 1020-1-.03 11, Screening Panels

Rule 1020-1-.06 (2) (a), Preceptors

Rule 1020-1-.08 (4), Photo

Rule 1020-1-.12 (1) (d), Waiver or Extension of Continuing Education Requirements

Rule 1020-1-.16 (3), Use of Titles

Rule 1020-1-.18 Advertising

## **Discussion of possible minimal educational requirements for applicants who seek licensure based on experience:**

A motion was made by Dr. Johnson and seconded by Ms. Wilhoit to set up a committee to study this issue. Dr. Johnson, Ms. Jones, Ms. Wilhoit, Carrie Ermshar, Tennessee Association of Homes and Services for the Aging (TAHS) and Richard Russell, Tennessee Health Care Association were approved for this committee. The motion carried.

## **Discuss board designee to approve continuing education courses otherwise listed as Board acceptable:**

After much discussion a motion was made by Mr. Davis and seconded by Ms. Lester to designate the Board consultant to review continuing education courses and submit recommendation to the Board for full approval. The motion carried.

## **Minutes**

Ms. Robinson explained to the Board that the new licensee and the reinstatement licensee names were not put in the minutes and requested that the Board defer the minutes until the next Board meeting of November 6, 2006 so the Board could approve the June 5, 2006 minutes with the

names added. A motion was made by Ms. Lester and seconded by Ms. Wilhoit to defer the June 5, 2006 minutes until the next board meeting of November 6, 2006. The motion carried.

### **Applicant Review/File Review**

**James S. Pate**-Mr. Pate submitted an application requesting approval from the Board to sit for the NAB exam. Mr. Pate showed proof of five and a half years of experience that was in the last seven years as a hospital administrator which was appointed by the hospital board. Mr. Pate requested transcripts to be submitted to the administrative office to show proof of his BS degree from East Tennessee State University (ETSU) in August, 1976 and JD college of law degree from the University of Tennessee (UT) in December, 1978. A motion was made by Mr. Davis and seconded by Ms. Wilhoit to approve Mr. Pate to sit the NAB exam. The motion carried.

**Joyce L. Martin**-Ms. Martin submitted an application requesting approval from the Board to begin an A.I.T. program. Ms. Martin requested transcripts to be submitted to the administrative office to show proof of her AS degree in nursing from East Tennessee State University (ETSU) in May, 1996. The Board gave Ms. Martin credit for one month of experience as an Assistant Administrator, therefore the A.I.T. program will run for an eleven month period. A motion was made by Mr. Davis and seconded by Ms. Lester to approve Ms. Martin for a eleven month A.I.T. program. The motion carried.

**Jeffery W. Turner**-Mr. Turner submitted an application requesting approval from the Board to begin an A.I.T. program part time. Mr. Turner requested transcripts to be submitted to the administrative office to show proof of his MBA degree in Healthcare Management from the University of Phoenix in June, 2006. A motion was made by Mr. Davis and seconded by Dr. Johnson to approve Mr. Turner for a twelve month A.I.T. program. Ms. Wilhoit voted no due to the Healthcare Management program from the University of Phoenix being an on line multi media program and not in a classroom setting program. The motion carried.

**Randy W. Ashby**-Mr. Ashby submitted an application requesting approval from the Board to begin an A.I.T. program. Mr. Ashby was instructed in a certified letter that he received on August 1, 2006 from the administrative office that a resume would be needed to show proof of his administrative experience. Mr. Ashby did not submit a resume to the administrative office; therefore, his application was not approved and the Board deferred the application until the next board meeting of November 6, 2006 and requested Mr. Ashby to attend the meeting. A motion was made by Mr. Davis and seconded by Ms. Lester so stating. The motion carried.

**Kathryn Werkhoven & Betty Edwards**—Kathryn Werkhoven, preceptor for Betty Edwards, Administrator In Training program (A.I.T. P.) was not present at the meeting due to her son's sudden death. Ms. Werkhoven did submit a letter regarding Ms. Edwards' failing the National Administrator Board Exam (NAB) twice. Ms. Edwards was present at the meeting and stated she suffers from test anxiety and that she has since obtained sample test material from the NAB to aid her in passing the examination in the future. The Board recommended for Ms. Edwards to attend the NAB exam study course through the Tennessee Health Care Association (THCA) or to

retake the A.I.T. program. A motion was made by Mr. Davis and seconded by Dr. Johnson so stating. The motion carried.

### **Preceptor Application Approval**

A motion was made by Ms. Wilhoit and seconded by Ms. Lester to approve the following preceptors for certification. Mr. Keith Boyce was approved pending that the administrative office receive proof of a phone interview with a Board member. The motion carried.

Debra Pannell  
Mark Miller  
Phyllis Cherry  
Keith Boyce

### **Office of General Counsel Report**

Mr. Sykes presented the OGC report in which he gave the status of the following rules:

- *Face to Face A.I.T. Training* [1020-1-.01, .06, .13]—The rulemaking notice was filed and the rule went to hearing on January 20, 2005. The Board approved the amendment on March 7, 2005, and it was sent to the Attorney General on April 7, 2005. It became effective on February 22, 2006.
- *Criminal Background Checks* [1020-1-.08]—(05-1162) The rulemaking notice was filed and the rule went to hearing on May 23, 2005. The Board approved the amendment on June 6, 2005, and it was sent to the Attorney General on June 16, 2005. It became effective May 31, 2006.
- *Screening Panels, Preceptor CE, CE Deadlines, Titles, Advertising, Etc.* [1020-1-.03, .06, .08, .12, .16, .18] – (05-1360) The rulemaking notice was filed and the rule went to hearing on October 19, 2005. The Board approved the amendment on November 7, 2005, and it was sent to the Attorney General on January 5, 2006. It is still there.
- *Exam Retakes, Stays* [1020-1-.03, .10, .15] – (06-1091) The rulemaking notice was filed on March 6, 2006 and the rule went to hearing on May 19, 2006. The Board approved the amendment on June 5, 2006, and it was sent to the Attorney General on July 26, 2006. It is still there.

Mr. Sykes stated that OGC currently has no open disciplinary cases pertaining to the Board.

### **Administrative Reports**

Financial Report—Ms. Lisa Tittle, Director of Administrative Services, was requested by the Board to attend the meeting to give explanation of this report. After much discussion Mr.

Walker requested the financial reports of 2004 and 2005 to compare with this report to be presented at the next board meeting of November 6, 2006.

Ms. Robinson presented the statistical reports which indicate the following:

<b>Nursing Home Administrators</b>	<b>Nursing Home Administrators</b>
<b>June 2006</b>	<b>July 2006</b>
<b>Active Licensees – 765</b>	<b>Active Licensees – 761</b>
<b>Retired Licensees – 796</b>	<b>Retired Licensees – 794</b>
<b>Failed to Renew – 655</b>	<b>Failed to Renew - 654</b>

#### PERFORMANCE MEASURES

<b><i>Performance Measure</i></b>	<b><i>Goal</i></b>	<b><i>Jan-July 2006</i></b>
Renewal Processing Time	14 days	3.81 days
Application Processing Time	100 days	229.69 days

The application processing time is directly relative to the length of the A.I.T. program, the length of the NAB examination process, and the length of the state Jurisprudence examination and the success or lack thereof, of the applicants on the examinations.

#### **BUDGET/TRAVEL ISSUES**

Ms. Robinson presented to the Board that no one is to make any arrangements prior to receiving approval; and when making travel arrangements, such as purchasing airline tickets, you must go through World Travel Services, Inc. at 1-866-835-9979. To go through World Travel Services you must identify that you are with the State of Tennessee and provide them with the Board's budget and allotment code which can be obtained from the Unit Director or Administrator. The mileage rate is .42 a mile.

#### **Investigative And Disciplinary Reports**

Ms. Robinson presented the Discipline and Investigative reports which indicated that there were five (5) open complaints in investigations as of June 2006. One (1) new complaint received in June 2006 from the east region.

#### **Ratifications**

##### New Licensees:

Kelly D. Alderman  
Teena E. Berry  
Lisa J. Garner  
Dava A. Snyder

Sandra C. Bailey  
Andrea D. Craig  
Kathryn H. Goss  
Sheila J. Wiggins

Reinstatements:

Richard M. Ervin  
Adrian S. Farmer

Mona Gail Evans  
Nancy S. Meidinger

**Adjournment**

There being no further business, the meeting was adjourned at 11:35 a.m.

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Norma Lester Secretary

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Date